

**Supreme Court of the State of New York**  
**Appellate Division: Second Judicial Department**

M245851  
HTR/

LEONARD B. AUSTIN, J.P.  
SHERI S. ROMAN  
SANDRA L. SGROI  
FRANCESCA E. CONNOLLY, JJ.

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2017-08994

DECISION & ORDER ON APPLICATION  
Withdraw Appeal on Stipulation

Shaquan Orta-Smith, appellant, v Mark  
Ellis, respondent.

(Index No. 508976/16)

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Application to withdraw an appeal from an order of the Supreme Court, Kings  
County, dated July 28, 2017.

Upon the stipulation of the attorneys for the respective parties to the appeal dated  
February 2, 2018, it is

ORDERED that the application is granted and the appeal is deemed withdrawn,  
without costs or disbursements.

AUSTIN, J.P., ROMAN, SGROI and CONNOLLY, JJ., concur.

ENTER:

  
Aprilanne Agostino  
Clerk of the Court

February 7, 2018

ORTA-SMITH v ELLIS